

**Supplement to Amended Acknowledgment and
Amended Notice of Acknowledgment
of Acceptance of R.S. 2477
Right-of-Way Grant**

Entry 2008005786
Book 1095 Page 163 - 171 \$0.00
12-JUN-08 09:31
RANDY SIMMONS
RECORDER, UINTAH COUNTY, UTAH
GOVERNOR OF THE STATE OF UTAH
STATE CAPITOL COMPLEX E220 PO BOX 14220
Rec By: HEATHER HOLMES , DEPUTY

THE STATE OF UTAH

TO ALL WHOM THESE PRESENTS SHALL COME, Greeting:

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This Supplement to Amended Acknowledgment and Amended Notice of Acknowledgment and the affidavits attached hereto as Exhibit A supplement and support the Amended Acknowledgment and Amended Notice of Acknowledgment, previously made under Utah Code Sections 72-5-309 through 310 inclusive, as it pertains to the highway located in Uintah County known as Diamond Mountain Highway; County Road Number: 1410; State Geographic Information Database (SGID) Road Identification Number: RD241088.

This document supplements and supports the information contained in the document first recorded at **Ent 2006012479, Bk 1006, Beg Pg 973**, as modified by the Amended Acknowledgment and Amended Notice of Acknowledgment recorded on **12/27/2007 at Ent 2007014367, Bk 1068, Beg Pg 952**. A legal description is attached hereto as Exhibit B.

In Witness Whereof, I, John Harja, the official designee of the Governor of the State of Utah, in conformity to the laws of the State (Utah Code Sections 72-5-308 through 310 inclusive), have caused this Supplement to Amended Acknowledgment and Amended Notice of Acknowledgment to be made.

Signed by my hand in Salt Lake City, Utah, the 9th day of June, 2008.

By the Governor's Designee

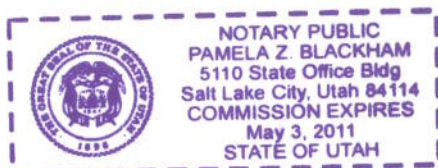


John Harja


CERTIFICATION

State of Utah)
 : ss
County of Salt Lake)

I hereby certify that the signer of the foregoing document, John Harja, is personally known by me, has made a voluntary signature and taken an oath stating that he is the official designee of the Governor of the State of Utah and is authorized to sign this document on the Governor's behalf pursuant to Utah Code Section 72-5-309. He further vouched that, based upon information and belief, the facts alleged therein are true.



Dated this 9th day of June, 2008.



Notary Public

Exhibit A

AFFIDAVIT OF GAIL W. GARDINER

DIAMOND MOUNTAIN HIGHWAY

UINTAH COUNTY, UTAH

COUNTY ROAD NUMBER 1410

State of Utah)
 : ss
County of Uintah)

Gail W. Gardiner, being first duly sworn, deposes and states as follows:

1. I am an adult competent to testify about the matters set forth below based upon my personal knowledge. I currently reside in Uintah County, Utah. I have lived in Uintah County 79 years.
2. I have traveled and am familiar with a road in Uintah County known as the Diamond Mountain Highway. I am also familiar with the land the road traverses. When I first used and observed the road in the 1940s, it followed the same route as in the 2006, when I last observed it. Attached is a Uintah County map showing the Diamond Mountain Highway. To the best of my knowledge and based upon my use of and familiarity with this road and the land it traverses, the location and route of the road are correctly illustrated on the attached map.
3. I am informed that the County identifies this road according to the road number described above.
4. I have observed that the road has been open to the public for all to use, to come and go as they pleased, since at least as early as the 1940s and continuing through 1976 to the present. During this time period I have observed travel on the road by means of trucks and jeeps. During this time period, the road has been used daily.

5. During the time period from the 1940s to the present, I have used the road myself for the following uses: hunting, fishing and recreation.

6. During the time period described in the previous paragraph, I observed vehicles using the road at various times for the uses described in the previous paragraph plus the following uses: livestock operations, traveling in and through the area, recreation and farming.

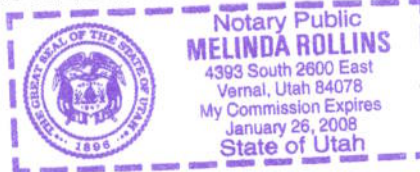
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the 1940s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

8. I observed the following evidence of maintenance and construction activities on the road prior to 1976: I have personally observed over the years the graded and later paved surface of the road.

Dated this 17 day of October, 2006.

Gail W. Gardiner
Gail W. Gardiner

SUBSCRIBED AND SWORN TO before me this 17 day of October, 2006.

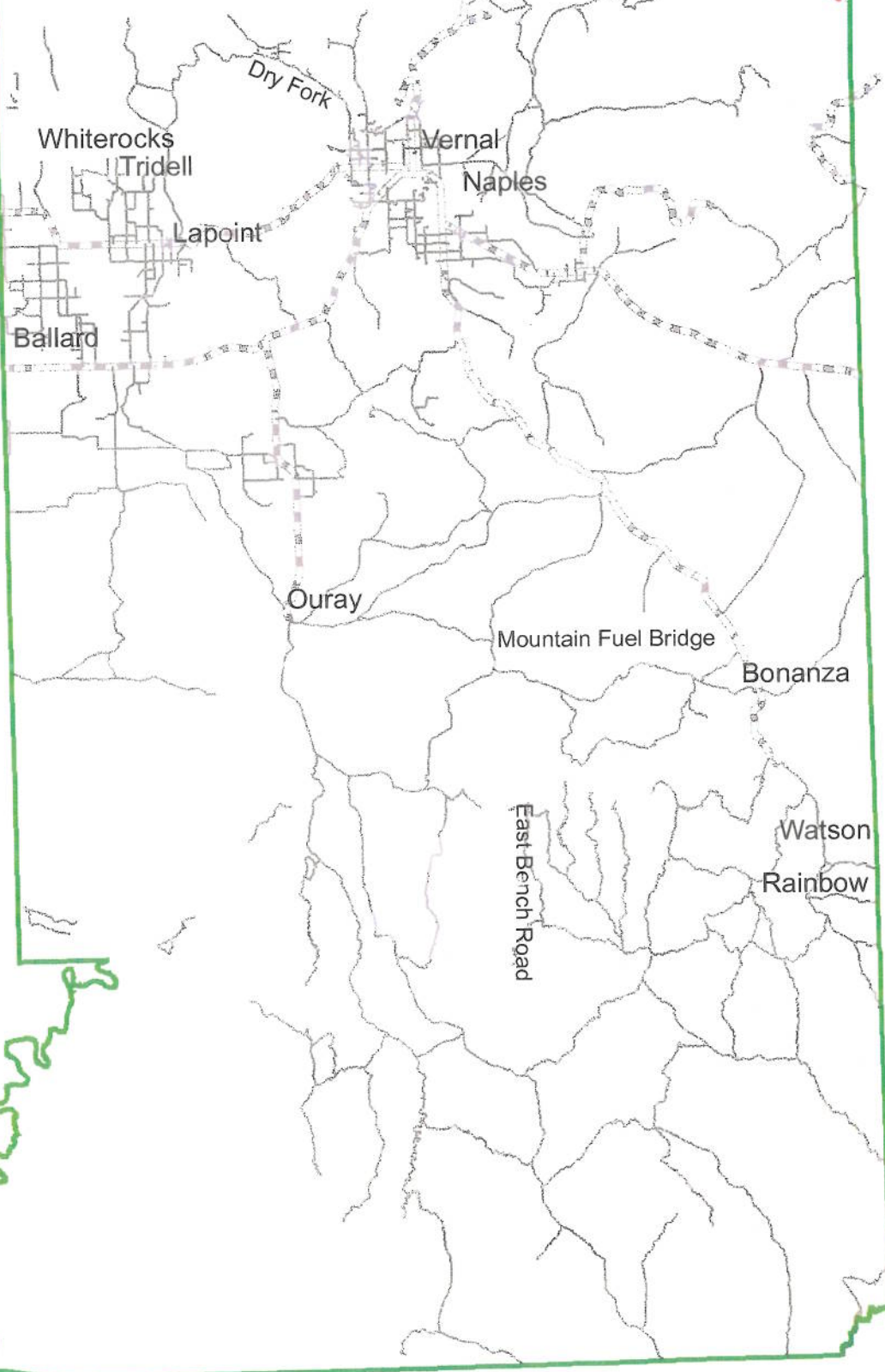


Melinda Rollins
Notary Public
Residing at _____

UINTAH COUNTY

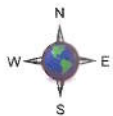
Diamond Mountain Highway
Road # 1410
RD241088

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Legend

- Diamond Mountain Highway
- Roads**
- Class B Roads
- Federal or State
- Uintah County



Uintah County



AFFIDAVIT OF J. CHARLES BREWER

DIAMOND MOUNTAIN HIGHWAY

UINTAH COUNTY, UTAH

COUNTY ROAD NUMBER 1410

State of Utah)
 : ss
County of Uintah)

J. Charles Brewer, being first duly sworn, deposes and states as follows:

1. I am an adult competent to testify about the matters set forth below based upon my personal knowledge. I currently reside in Uintah County, Utah. I have lived in Uintah County 64 years.

2. I have traveled and am familiar with a road in Uintah County known to me as the Diamond Mountain Highway Flat Road. I am also familiar with the land the road traverses. When I first used and observed the road in the 1960s, it followed the same route as in July of 2006, when I last observed it. Attached is a Uintah County map showing the Diamon Mountain Highway. To the best of my knowledge and based upon my use of and familiarity with this road and the land it traverses, the location and route of the road are correctly illustrated on the attached map.

3. I am informed that the County identifies this road according to the road number described above.

4. I have observed that the road has been open to the public for all to use, to come and go as they pleased, since at least as early as the 1960s and continuing through 1976 to July of 2006. During this time period I have observed travel on the road by various means, including large 18-wheelers, pickups, cars, jeeps, airplanes, snowcats. During this time period, the road has been used continuously.

5. During the time period from the 1960s to the present, I have used the road myself for recreation, traveling in and through the area, fish distribution, snow removal.

6. During the time period described in the previous paragraph, I observed vehicles using the road at various times for the uses described in the previous paragraph plus the following uses: recreation such as camping, hiking picnicking and sightseeing, traveling in and through the area, livestock operations and hunting.

7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the 1960s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

8. I observed the following evidence of construction and maintenance performed on the road prior to 1976: I personally maintained the road by performing shoulder work, snow removal, pot hole patching, rock removal since the 1960s.

Dated this 16 day of October, 2006.


J. Charles Brewer

SUBSCRIBED AND SWORN TO before me this 16 day of October, 2006.




Notary Public

UINTAH COUNTY

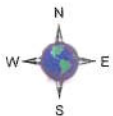
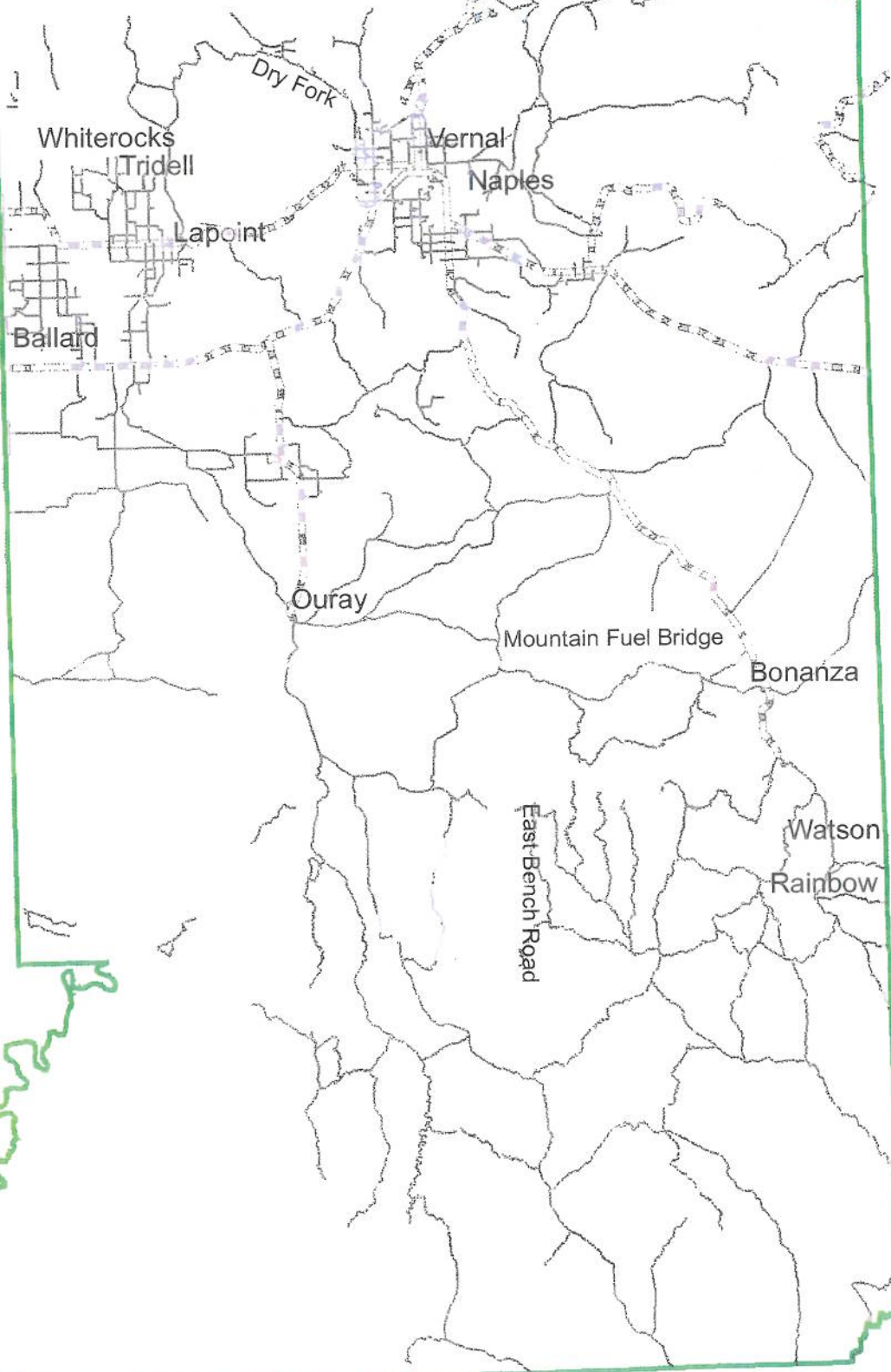
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Diamond Mountain Highway
Road # 1410
RD241088



Legend

- Diamond Mountain Highway
- Roads**
- Class B Roads
- Federal or State
- Uintah County



Uintah County



Exhibit B

Beginning & Ending Points and Township, Range, and Section References For:

Popular Name: Diamond Mountain Highway

County: Uintah

County Road Number: 1410

State Geographic Information Database (SGID) Road Identification Number: RD241088.

Total Road Length: 24.02 miles more or less.

Beginning at a point on the road centerline located at 40 degrees 27 minutes 48.16 seconds North Latitude and -109 degrees 29 minutes 55.48 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 2,197,216.7 feet and Y = 7,343,748.8 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 40 degrees 39 minutes 14.31 seconds North Latitude and -109 degrees 13 minutes 42.55 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 2,270,631.1 feet and Y = 7,414,960.0 feet based on the US Survey Foot conversion.

This road may traverse:

Township 2 South Range 23 East, Section(s) 12,13,14,23,26,34,35, Salt Lake Base & Meridian
Township 2 South Range 24 East, Section(s) 7,8,9,16,18, Salt Lake Base & Meridian
Township 3 South Range 22 East, Section(s) 12,13,24,25,36, Salt Lake Base & Meridian
Township 3 South Range 23 East, Section(s) 3,4,5,6,7, Salt Lake Base & Meridian
Township 4 South Range 22 East, Section(s) 1,2,9,10,11,16,17,18,19, Salt Lake Base & Meridian